IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Bail Appl..No. 3281 of 2007()

CC.455/2005 of J.M.F.C.-II,PERINTHALMANNA

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PETITIONER :

P. KUNHALAVI, PAZHEDATH HOUSE,
S/O. MAY IN, PAZHAMALLOOR, KURUVA VILLAGE
PERINTHALMANNA TALUK

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN
SRI.K.S.RAJESH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, REPRESENTING THE
SUB INSPECTOR OF POLICE, KOLATHUR

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3281 of 2007

DATED: 29-05-2007

O R D E R

Petitioner who is the 4th accused in Crime No.31 of 2005 of Kolathur Police Station for offences punishable under Secs.143, 148, 149, 447 and 324 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No.455 of 2005 on the file of the J.F.C.M - II, Perinthalmanna non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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